

REGULAR CITY COUNCIL MEETING
AUGUST 4, 1986

PRESENT

Ruth Hansen	Mayor
Craig Greathouse	Council Member
Don Dafoe	Council Member
Neil Dutson	Council Member
David Church	Council Member
Gayle Bunker	Council Member

ABSENT

None

OTHERS PRESENT

Jim Allan	City Manager
Dorothy Jeffery	City Recorder
Warren Peterson	City Attorney
Neil Forster	Public Works Director
Jerry Reagan	Building Inspector
Robert Pendray	Plaza Lanes
Roger Young	Chief of Police
Carol Parr	Police Secretary
Jessie Petersen	Plaza Lanes
Martin Ludwig	City Resident
Richard Waddingham	Deputy City Attorney

Mayor Ruth Hansen called the meeting to order at 7:00 p.m. Dorothy Jeffery, Delta City Recorder, acted as secretary. Mayor Hansen stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, the local radio station, KNAK, and to each member of the City Council by personal delivery two days prior to the meeting.

MINUTES

The proposed minutes of a Public Hearing held June 23, 1986, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Don Dafoe MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

The proposed minutes of a regular City Council meeting held June 23, 1986, were presented for consideration and approval. The Council reviewed the minutes briefly and proposed corrections, after which Council Member Gayle Bunker MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Craig Greathouse. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

The proposed minutes of a special City Council meeting held June 25, 1986, were presented for consideration and approval. The Council reviewed the minutes briefly and proposed corrections, after which Council Member David Church MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Neil Dutson. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

The proposed minutes of a Public Hearing held July 7, 1986, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Craig Greathouse MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

The proposed minutes of a regular City Council meeting held July 7, 1986, were presented for consideration and approval. The Council reviewed the minutes briefly and proposed corrections, after which Council Member David Church MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

The proposed minutes of a special City Council meeting held July 21, 1986, were presented for consideration and approval. The Council reviewed the minutes briefly and proposed corrections, after which Council Member Craig Greathouse MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

The proposed minutes of a special City Council meeting held July 28, 1986, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Gayle Bunker MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Don Dafoe. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member David Church MOVED that the accounts payable be approved for payment, as listed, in the amount of \$56,770.68, including a bill from Waddingham and Peterson in the amount of \$2,896.55. Council Member Don Dafoe SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

COUNCIL MEMBER GAYLE BUNKER: CONSIDERATION OF AND PUBLIC COMMENT ON AMENDMENTS TO BEER LICENSE ORDINANCE

Mayor Hansen asked Council Member Gayle Bunker to present amendments to the Beer License Ordinance.

Council Member Gayle Bunker presented a proposed ordinance entitled:

AN ORDINANCE AMENDING SECTIONS 9-432 AND 13-314 OF THE REVISED ORDINANCES OF DELTA CITY BY REPEALING CERTAIN PROVISION THEREOF AND ENACTING NEW PROVISION RELATING TO THE PRESENCE OF MINORS WHERE ALCOHOLIC BEVERAGES ARE SOLD OR CONSUMED AND PROVIDING STANDARDS FOR OPERATION OF BUSINESSES LICENSED FOR THESE PURPOSES.

The Council discussed the proposed ordinance in detail. Council Member David Church expressed his opposition to the proposed ordinance because the ordinance allows minors to be present in establishments where alcoholic beverages are being served and consumed.

Robert Pendray, of Plaza Lanes, reminded the Council that the committee reviewing the beer license ordinance agreed that the license holders should police their own businesses in keeping underage persons under control.

The Council discussed at length the policing of businesses selling beer within Delta City.

Council Member Gayle Bunker MOVED to adopt Ordinance No. 86-105. Council Member Craig Greathouse said that he would like more discussion prior to adopting the ordinance.

Attorney Peterson explained the previous ordinance which states that no one under the age of 21 would be permitted in an establishment where beer was served and where billiards was played, nor are they allowed where video games and alcoholic beverages are both available.

Council Member Neil Dutson asked if a minor enters a bar to play pool or play video games and is not drinking, could the owner allow the minor to stay as long as the minor is not drinking alcoholic beverages.

Chief of Police Roger Young said the proposed ordinance would increase the workload of the police officers in that they would be required to make more routine checks on the bars.

Attorney Peterson reviewed "Section 9-432.M, 9-432.N and 9-432.O of the proposed ordinance with the Council and said that no one under the age of 21 who has been drinking would be allowed in a bar, but it would allow any other minor to be present except when live entertainment is presented.

Craig Greathouse asked if a consumption license could be issued to a business for sale of beer in one portion of the premises, but no sales be allowed in any game room part of the premises. He then asked for an explanation of a Class C Beer License.

Attorney Peterson then explained the previous ordinance which states:

"Class "C" licenses shall entitle the licensee to sell draft beer and beer in original containers for consumption on the premises, subject to the provisions of the Utah Liquor Control Act and the ordinances of Delta City.

Following further discussion, Council Member Don Dafoe MOVED to table the proposed ordinance for revision and further study. The motion was SECONDED by Council Member Craig Greathouse. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ROGER YOUNG: CONSIDERATION TO PURCHASE IBM PC COMPUTER FOR POLICE DEPARTMENT

Roger Young said that a request has been made to purchase a personal computer for use in the police department. The Council then discussed the options of purchasing an IBM PC or an IBM XT computer.

After considerable discussion, Council Member David Church MOVED to table this item. The motion was SECONDED by Council Member Neil Dutson. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ROGER YOUNG: RATIFICATION OF BEER LICENSE ISSUANCE TO RICK'S FAMILY RESTAURANT

Mayor Hansen asked Chief Roger Young to discuss the beer license issuance to Rick's Family Restaurant with the Council.

Chief Young said that Richard Farnsworth has requested a Class C Beer License for his restaurant, Rick's Family Restaurant. He said that this item was approved at July 7 regular City Council meeting, but it was not a regular agenda item so it was being presented for ratification.

Council Member David Church MOVED to approve a Class C Beer License for Rick's Family Restaurant. Council Member Craig Greathouse SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

NEIL FORSTER: CONSIDERATION FOR UDOT TO USE AIRPORT FACILITIES DURING THE UPGRADE OF SR 6 BETWEEN SR 50 AND BRUSH WELLMAN

Mayor Hansen asked Public Works Director Neil Forster to explain Utah Department of Transportation (UDOT) use of the airport facilities during the upgrade of SR 6 between SR 50 and the Brush Wellman location.

Mr. Forster requested that UDOT be allowed to use a mobile unit for a testing laboratory for the period of time involving reconstruction of SR 6 and construction of a by-pass road. The Council discussed a possible fee for the use of the property and decided to charge the minimum fee of \$9.50 per month for the use of water.

Council Member Craig Greathouse MOVED to accept UDOT's use of airport facilities and charge a minimum fee of \$9.50 for use of water. Council Member David Church SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

NEIL FORSTER: CONSIDERATION AND ESTABLISHMENT OF CITY STREET AND ROAD IMPROVEMENT PROJECTS FOR SUMMER 1986

Mayor Hansen asked Public Works Director Neil Forster to discuss with the Council the establishment of City street and road improvement projects for Summer 1986.

Neil Forster presented the following priority list:

PROJECT FOR FISCAL YEAR 1986-1987
BY ORDER OF PRIORITY

1. 300 SOUTH BETWEEN 100 WEST AND 300 WEST AND CENTER STREET TO 100 EAST

The preparation for completion of this project will be similar to what has taken place in the now completed project on 100 North. The basic base, crown, and asphalt that already exist need to be widened, shaped, and 2 1/2 inch asphalt lift placed.

Approximate cost: \$5,000 per block.

100 SOUTH BETWEEN CENTER AND 100 WEST

Again, this project just needs to be widened, shaped, and an asphalt lift placed. It is felt that this could be done in conjunction with 300 South--possibly even mixed on 300 South and hauled to this location for spreading.

Approximate cost: \$5,000

2. 400 EAST FROM SECOND NORTH TO MAIN STREET

This project will require a substantial amount of preparation by Delta City before construction of asphalt placement. Drainage will have to be installed, and in some areas up to 24-inches of fill placed, shaped, and compacted. This project could be carried on through the wintertime by Delta City work forces and completed in the Spring of 1987.

Estimated cost per block could be as high as \$7,500.

3. 200 WEST FROM 200 NORTH TO 400 NORTH, 400 NORTH FROM 100 WEST TO 300 WEST; AND 300 WEST FROM 400 NORTH TO 300 NORTH: (5 BLOCK INVOLVEMENT).

In general, this project would require basically the same as 400 East and 300 South with two exceptions: one being the intersection of 200 North and 200 West with some fill and crown being built and shaped by Delta City work forces, and the intersection on the corner of 300 West and 400 North to be built and shaped by Delta City work forces.

Approximate Cost: \$5,000 per block.

It is felt that these 11 blocks could be completed before July, 1987, through the mutual effort of Delta City and West Side Grading.

Total estimated cost for 11 blocks would be \$60,000.

These costs reflect the use of cold mix asphalt mixed in place, spread with a grader, and rolled. All roads would have to be sealed within 18 months.

Mr. Forster then asked City Manager Jim Allan to discuss the Sandhill Road project so that the Council would be aware of the effect that project may have on the list he had just prepared.

JIM ALLAN: PRESENTATION OF RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN MILLARD COUNTY AND DELTA CITY FOR COMPLETION OF SANDHILL ROAD

Mayor Hansen asked City Manager Jim Allan to present a resolution authorizing an agreement between Millard County and Delta City for completion of Sandhill Road.

Jim Allan presented a proposed resolution entitled:

RESOLUTION NO. 87-156

A RESOLUTION APPROVING AN INTERLOCAL COOPERATION ACT AGREEMENT BETWEEN MILLARD COUNTY AND DELTA CITY TO PROVIDE FOR CONSTRUCTION OF A ROADWAY PROJECT REFERRED TO AS THE "SANDHILL ROAD."

The Council then discussed the Sandhill Road project. Mr. Allan said that approximately \$32,000 has been budgeted for the completion of that road. The Council then adjusted the priority list with the Sandhill Road being first priority.

Following further discussion, Council Member David Church MOVED to adopt Resolution No. 86-156. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member David Church	Yes
Council Member Don Dafoe	Yes
Council Member Neil Dutson	Yes
Council Member Craig Greathouse	Yes

Mayor Hansen then signed the resolution and it was attested by City Recorder Dorothy Jeffery.

Council Member David Church then MOVED to allow the Street Department to proceed with the Street Rebuilding Project, not spending more than \$39,000 starting with 1. Third South Street, 2. Fourth South Street, 3. Second - Fourth North Streets. The motion was SECONDED by Council Member Don Dafoe. Mayor Hansen asked if there were any further comments or questions regarding

the motion. There being none, she called for a vote. The motion passed unanimously.

MAYOR HANSEN: CONSIDERATION OF SYRACUSE CITY REQUEST TO SUPPORT AEROSPACE PARK AND MUSEUM

Mayor Hansen presented the following letter received from Syracuse City:

11 July 1986

Mayor Ruth Hansen
76 North 200 West
Delta, Utah 84624

Dear Mayor Hansen:

At the spring business session of the Utah League of Cities and Towns you will recall that the delegates tabled a resolution supporting legislation to provide matching funds for the construction of an aerospace park and museum. Opposition to the resolution was led primarily by Mayor Jenkins of Provo and Mayor DePaulis of Salt Lake City. Their concern appears to stem from an allegation that such legislation would benefit only those residents living adjacent to Hill Air Force Base. Moreover, one delegate expressed concern that passage of the resolution would send the Legislature a message that the League is prone to promoting special interest laws.

While these worthy colleagues are entitled to their opinions, they are misinformed, and I strongly disagree with the allegations. During Fiscal Year 1985 the civilian and military payrolls at Hill exceeded \$565 million. Furthermore, contracts for goods and services to Utah firms added another \$800 million. To say that this very substantial economical "infusion" only benefited the local area and not all people of Utah is as ludicrous as saying that the aerospace park and museum are only for Hill AFB and surrounding area residents. As for sending the Legislature the wrong message, it's a little late because the record shows that the League endorsed a resolution in 1985 supporting legislation for matching funds.

My purpose in writing is to solicit help in getting this issue before the delegates again during our September convention. I am told that it will take the endorsement of about 20 cities/towns in the state. Accordingly, I am asking that you present this issue at your next council meeting for approval. Attached is a sample resolution for your use. Upon approval please

forward resolution to me at 2232 S. 1000 W., Syracuse,
Utah 84041.

Thank you for your assistance.

Sincerely,
Delore W. Thurgood

Following a brief discussion, the Council members each concurred that they were not in favor of supporting the proposal and therefore took no formal action.

ROGER YOUNG: CONSIDERATION OF ORDINANCE AMENDING PRIMA FACIE
SPEEDS, THROUGH STREETS, NO PARKING AREAS AND LOAD LIMITATIONS
WITHIN DELTA CITY

Mayor Hansen asked Chief of Police Roger Young to present a proposed ordinance amending prima facie speeds, through streets, no parking areas and load limitations within Delta City.

Chief Young then presented the following proposed ordinance entitled:

AN ORDINANCE REPEALING SECTIONS 11-323, 11-324 AND 11-343 OF THE REVISED ORDINANCES OF DELTA CITY (1981 Edition), AS AMENDED, AND REENACTING SAID SECTIONS 11-323, 11-325 AND 11-343 WITH APPENDICES THERETO LABELED AS APPENDICES "B", "C" AND "D" TO TITLE 11-000, RESPECTIVELY, AND ADOPTING CHAPTER 11-400 TO THE REVISED ORDINANCES OF DELTA CITY AND AN APPENDIX THERETO ESTABLISHING LOAD LIMITS FOR CERTAIN STREETS IN DELTA CITY.

Following discussion, Council Member David Church MOVED to table the proposed ordinance until the next regular City Council meeting to allow City Engineer John Quick time to prepare the load limit information needed for the ordinance prior to Council action being taken. The motion was SECONDED by Council Member Don Dafoe. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

JERRY REAGAN: CONSIDERATION OF RESOLUTION ESTABLISHING BUILDING
PERMIT FEES AND FEES FOR RELATED PERMITS

Mayor Hansen asked Building Inspector Jerry Reagan to present a proposed resolution establishing building permit fees and fees for related permits.

Mr. Reagan presented a proposed resolution entitled:

RESOLUTION NO. 86-157
A RESOLUTION OF THE DELTA CITY COUNCIL ESTABLISHING
BUILDING PERMIT FEES AND FEES FOR RELATED PLUMBING

PERMITS, ELECTRICAL PERMITS, BUILDING INSPECTIONS AND OTHER FEES AS PROVIDED FOR IN CHAPTER 12-1100 OF THE REVISED ORDINANCES OF DELTA CITY (1981 Edition), AS AMENDED.

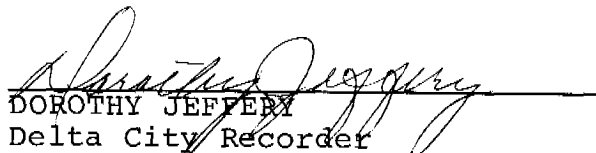
Following a brief discussion, Council Member Don Dafoe MOVED to adopt Resolution No. 86-157. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a roll call vote. The voting was as follows:

Council Member Craig Greathouse	Yes
Council Member Don Dafoe	Yes
Council Member David Church	Yes
Council Member Neil Dutson	Yes
Council Member Gayle Bunker	Yes

Mayor Hansen then signed the resolution and it was attested by City Recorder Dorothy Jeffery.

Mayor Ruth Hansen asked if there were any further comments or questions or items to be discussed. There being none, Council Member David Church MOVED to adjourn the meeting. The motion was SECONDED by Council Member Neil Dutson. Mayor Hansen declared the meeting adjourned at 9:30 p.m.


RUTH HANSEN, Mayor


DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: RCCM 8-04-86